

12/29/2004 15:23

7709840098

GARDNER GROFF

DEC 29 2004

PAGE 01



# GARDNER GROFF

A PROFESSIONAL CORPORATION

PRACTICING INTERNATIONAL AND DOMESTIC PATENT, TRADEMARK AND COPYRIGHT LAW AND RELATED MATTERS EXCLUSIVELY

ARTHUR A. GARDNER  
BRADLEY K. GROFF  
JOHN W. GREENWALD  
DANIEL J. SANTOS  
JOHN M. HARMAN\*  
MICHELLE E. KANDOR  
PATRICIA L. ADES  
R. STEVAN COURSEY

\* OTHER BARS ONLY

# FAX

To: EXAMINER AN T. LUU From: DANIEL J. SANTOS (40,158)

Company: USPTO - ART UNIT 2816 Page 1 of 3

Fax: 703 872 9306 Date: DECEMBER 29, 2004

Re: SERIAL NO. 10/060,154 CUR REF.: 9A02.1-230

☐ Urgent ☐ For Review ☐ Please Reply ☒ Please Confirm Receipt ☐ Original Following Via Mail

PLEASE CALL 770.984.2300 IMMEDIATELY IF NOT RECEIVED PROPERLY

## NOTICE

THE INFORMATION TRANSMITTED HERewith MAY CONTAIN PRIVILEGED, TRADE SECRET AND/OR CONFIDENTIAL INFORMATION, AND IS INTENDED SOLELY FOR THE VIEWING AND USE OF THE PERSON OR ENTITY NAMED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY REVIEW, USE, COMMUNICATION, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY THE SENDER IMMEDIATELY BY TELEPHONE, AND RETURN OR DESTROY ALL COPIES.

PAPER MILL VILLAGE, BUILDING 23, 600 VILLAGE TRACE, SUITE 300, MARIETTA, GEORGIA 30067 U.S.A.  
TELEPHONE 770.984.2300 FACSIMILE 770.984.0098  
WEBSITE: GARDNERGROFF.COM

AGILENT TECHNOLOGIES, INC.  
Legal Department, DL429  
Intellectual Property Administration  
P. O. Box 7599  
Loveland, Colorado 80537-0599

RECEIVED  
CENTRAL FAX CENTER

ATTORNEY DOCKET NO. 10011031-1

DEC 29 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): STONG, Gayvin E.

Serial No.: 10/060,154

Examiner: LUU, An T.

Filing Date: January 30, 2002

Group Art Unit: 2816

Title: A CLOCK RATIO DATA SYNCHRONIZER

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria VA 22313-1450

**REQUEST FOR CONTINUED EXAMINATION (RCE) 37 CFR 1.114**

Subsection (b) of 35 U.S.C. 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Sir:

This is a Request for Continued Examination (RCE) under CFR 1.114 of the above-identified application.

**NOTE:** 37 CFR 1.114 is effective on May 20, 2000. If the above application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under CFR 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 off. Gaz. Pat. Office 47 (Apr. 11, 2000), which Established RCE practice.

**Submission under 37 CFR 1.114**☒ Previously submitted:

- ☒ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on November 5, 2004.  
(Any unentered amendment(s) referred to above will be entered).
- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
- ☐ Other \_\_\_\_\_.

☐ Enclosed:

- ☐ Amendment/Reply
- ☐ Affidavit(s)/Declarations(s)
- ☐ Information Disclosure Statement (IDS)
- ☐ Other \_\_\_\_\_.

**Miscellaneous**

- ☐ Suspension of action is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months.  
The fee for this Suspension is (37 CFR 1.17(i)) \$130.00.
- ☐ Other \_\_\_\_\_.

**CONTINUED EXAMINATION TRANSMITTAL  
(RCE) (37 CFR 1.114) (continued)****ATTORNEY DOCKET NO. 10011031-1**RCE filing fee ~~\$770.00~~ 790.00

- ☐ A Petition for Extension of Time
- |                          |              |           |
|--------------------------|--------------|-----------|
| <input type="checkbox"/> | One month    | \$110.00  |
| <input type="checkbox"/> | Two months   | \$420.00  |
| <input type="checkbox"/> | Three months | \$950.00  |
| <input type="checkbox"/> | Four months  | \$1480.00 |

Please charge to Deposit Account 50-1078 the sum of 790.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25.

A duplicate copy of this transmittal letter is enclosed.

- ☐ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Date of Deposit: OR

- ☒ I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date of Facsimile: December 29, 2004

Typed Name: Carissa McGrew

Signature: CMcGrew

Respectfully submitted,  
STONG, Gayvin E.

By

Daniel J. Santos  
Daniel J. Santos  
Attorney/Agent for Applicant(s)

Reg. No. 40,158

Date: December 29, 2004

Telephone No. 770.984.2300